Article

Coerced to Leave: Punishment and the Surveillance of Foreign-National Offenders in the UK

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Abstract

Drawing on ethnographic fieldwork conducted in London among foreign-national offenders facing deportation from the United Kingdom, this paper seeks to examine how foreign-national offenders experience and understand state policies of control. Worldwide, foreign-nationals are increasingly subject to forms of state surveillance, not just when crossing borders but also during their stay within a given state's territory. Detention centres, weekly or monthly reporting requirements, and electronic monitoring are already common migrant surveillance strategies allied to deportation policies in many countries across the globe. These forms of state control are conceived legally as administrative practices necessary to control foreign-nationals whose status is still being adjudicated and to enforce the removal of unwanted foreign-nationals. Consequently, these strategies are not inflicted through a judicial process, even though these same practices are used within the context of penal incarceration and supervision. The lived experience of deportability and associated state surveillance highlights the punitive and coercive effects of detention and related conditions of bail. Ironically, but perhaps not unintentionally, those who are deemed a risk and subject to surveillance and banishment are therefore constantly feeling vulnerable and in need of protection. Because they do not consider themselves a risk to society, the foreign-national offenders interviewed for this study understand state surveillance not as a measure of control, but rather as punishment for wanting to stay. In their eyes, it is designed to coerce them to leave. An examination of the experiences of detention and bail reveals how such forms of surveillance work to discipline deportable bodies.

Introduction

Worldwide, foreign-nationals are increasingly subjected to forms of state surveillance and control, not just when crossing the border but also during their stay within a given state's territory. Detention centres, weekly reporting requirements, and electronic monitoring are already common surveillance strategies allied to deportation policies in many countries across the globe. Drawing on ethnographic fieldwork conducted in London, United Kingdom (UK), I take deportation not as an event but as a process that begins far before foreign-nationals are forcibly removed from one country to another. When foreign-nationals are targeted for deportation or removal they become subjects to be placed under surveillance, to be monitored and detained; immigration removal centres (IRCs) and reporting centres consequently emerge as important sites of state control. This article centres on how these institutions become part of foreign-nationals' daily lives, focusing in particular on the punitive, coercive and disciplinary effects of state surveillance on deportable men and women, and their own understanding of such practices.

Forms of state surveillance over deportable people in the UK, and elsewhere, are conceived legally as administrative procedures necessary for enforcing the removal process. For the research participants, however, these practices are understood and experienced as punishment and strategies to render their lives in the UK impossible to a point at which they will acquiesce to deportation. Although other forms of

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migrant surveillance are being tested and used in the UK, such as Biometric Resident Permits (Warren and Mavroudi 2011) and electronic monitoring, here I focus on immigration detention and reporting, the two forms of state surveillance most commonly applied to those facing deportation from the UK.

Broadly speaking, foreign-nationals with leave to remain are deportable¹ from the UK if convicted to a 12-month sentence or longer. Upon serving their sentences, foreign-national offenders may be detained in an IRC while their deportation files are processed. Deportation may be appealed at the Immigration Tribunal on human rights grounds. If detained, foreign-nationals may also apply at the Immigration Tribunal to be released on bail from immigration detention, which may be granted under certain conditions. Conditions of bail typically require foreign-nationals to report to the Home Office, at designated reporting centres, monthly or weekly. The terms of bail remain in place until the person is either detained again for removal or has his or her deportation appeal granted.

Immigration detention and reporting are thus part and parcel of the experience of deportability. In the case of foreign-national offenders, detention and reporting are located at the intersection between deportability and deportation; that is, the stage when the state has already wielded considerable power in seeking to deport but is not yet able to remove the unwanted man or woman who is appealing against deportation. This is a stage wrought with uncertainty and the suspension of lives, where one's deportability is not enacted in anticipation nor translated into active invisibility and evasion strategies as emphasised in most illegality studies (Willen 2007; Talavera et al. 2010). Rather, it is experienced only once deportation proceedings are initiated.

The data presented in this article are drawn from a broader research project that examined how deportation and deportability translate into social reality and the lives of those affected the most. It is based on an ethnography carried out in a range of sites including immigration courts and migrant support groups, as well as at varying locations that form part of the everyday lives of deportees and their families. I followed closely 18 deportation cases: 11 from the perspective of the appellant (ten male and one female) and seven from the perspective of a family member, namely spouse or parent (five female and two male). Following these cases entailed attending or accompanying participants to a variety of deportation proceedings such as appeal hearings, bail applications and reporting appointments, and at least two semi-structured interviews per informant. I carried out this research in my capacity as a research student (see Meissner and Hasselberg 2012). Interviews were conducted at places identified by the respondent: their homes, the gym, a quiet café, the park, the hospital where a premature son was born, in a car while the respondent drove around doing errands, etc. These locations, where informants felt comfortable, formed part of their daily lives and gave me a further insight as to how deportability is experienced. In most cases, I was introduced to other members of the family and close friends. Most interviews were carried out in English, but some were in Spanish and Portuguese.² All names are anonymised here.

I did not interview immigration detainees. Rather, the narratives presented here are retrospective accounts of the experience of confinement by foreign-national offenders who had been granted bail from immigration detention. These narratives reveal how memories of detention affect the experiences of deportability. All of the foreign-national offenders participating in this study felt that their lives and

¹ In the UK deportation differs from administrative removal. The first regards individuals whose expulsion from the territory the secretary of state deems to be conducive to the public good, whether or not they hold leave to remain. Administrative removal refers to migrants who have no legal entitlement to stay in the UK. Unlike administrative removal, deportation has an enduring legal effect, meaning that it entails a ban on return; that is, it prohibits the deportee from re-entering the country as long as the order is in force, a period between three to ten years.

² Although all were fluent in English, speaking in a foreign language allowed more privacy in interviews conducted in public spaces. The choice of language (only available for Portuguese and Spanish speakers) was left to the interviewee. I translated the Spanish and Portuguese narratives into English.

families were settled in the UK and none saw themselves moving out of the country in the short term. Participants did not, however, form a homogenous group and varied greatly in terms of nationality (seven African appellants, three European, two Latin American, two Caribbean, two South East Asian, a North American and a Middle Easterner), culture, religion, migration path and age group (ranging from 18 years old to late 60s). Some arrived in the UK at a young age, but most came in their early adulthood. Participants' length of residency in the country ranged from between four and 50 years. Whereas the majority struggled financially at the time of field research, mostly due to their deportability, prior to conviction their financial situations also varied greatly.

Migrant surveillance in the UK

The grounds to detain foreign-nationals were developed in the 1971 Immigration Act and subsequent legislation. A foreign-national facing deportation from the UK may be detained at any point of the process if there is reason to believe he or she will abscond, or if the person, having exhausted all appeal rights, is about to be deported. Regarding foreign-national prisoners in particular, current policy states that there is a presumption in favour of temporary admission or release, which may only be outweighed when the individual circumstances of the foreign-national prisoner reveal a high risk of absconding or reoffending (UKBA n.d.). Yet, there is purportedly a culture of detention where 'a decision to deport equals a decision to detain' (ICIBI 2011: 22) spurred on by fears of a follow-up to the 2006 scandal which brought to public attention that over the previous seven years 1,023 foreign-national prisoners had been released after completing their sentences, without being considered for deportation.³ The reluctance to release foreign-national offenders despite what is prescribed in policy has translated into operational procedures in which the level of authorisation required to release a foreign-national offender is much higher than that required to detain (ICIBI 2011). Only one of the foreign-national offenders that I came across during fieldwork was not under any form of state surveillance. All others had been through at least one period of detention and were reporting as part of their conditions of bail. In addition, two were electronically monitored.

When in detention,⁴ a foreign-national may apply for bail every four weeks. Bail hearings, however, were considered by research participants to be highly arbitrary and most believed that it was really up to the personal and political inclinations of the judge considering the application, not the merits of the case. This tendency has since been documented in different studies (White 2012; BID 2010; CCC 2011). Reporting is usually required as condition of bail from detention. It consists of the allocation of a regular appointment at a pre-determined reporting centre or police station. Every week during a given time-slot foreign-nationals must go to the reporting centre and present their papers. Although in certain cases this is a monthly or daily appointment, depending on the level of risk of absconding of the person, all but one of my research participants were reporting weekly. Reporting Centres are run by private security companies and many have short-term holding facilities, consisting of one or more secure cells where those apprehended upon reporting await transfer to an IRC.

Surveillance and control

At the time of field research, border control in the UK was enforced by the Home Office through the UK Border Agency (UKBA). The UKBA was abolished in 2013 and border control was split into two Home

³ This information generated much polemic, ultimately leading to the resignation of Charles Clarke, then Home Secretary. The scandal fed public anxieties over crime and immigration—two areas of great political sensitivity. It resulted in critical discussions over public security (Bhui 2007: 370), in which crime trends became increasingly addressed through deportation policies and enforcement.

⁴ There are 11 IRCs with an overall capacity to hold over 4,000 detainees on any given day. Four are managed by Her Majesty's Prison Service, while the remainder are operated by private contractors. There are 14 Reporting Centres, four of which are located in London.

Office Units: UK Visas and Immigration and Immigration Enforcement. Under the heading 'Immigration Removal Centres', the then UKBA's webpage⁵ read:

Our removal centres are used for *temporary detention*, in situations where people *have no legal right to be in the UK* but have refused to leave voluntarily. Those detained in any of our centres can leave at any time to return to their home country. Some detainees are foreign national prisoners who have completed prison terms for serious crimes, but who then *refuse to comply with the law* by leaving the UK. If detainees *refuse to comply with the law* and leave the UK, we will move to enforce their return. (*emphasis added*)

Detention is presented as an administrative practice necessary to remove from the territory those who not only lack the right to be in the country but also refuse to comply with their obligation to leave. The text is in fact geared to present detainees as deviants: people actively and intentionally not complying with the law, whose refusal to leave justifies their incarceration, much like a criminal conviction may justify imprisonment.

The portrayal of detainees as a risk and danger that must be contained is well developed elsewhere (Malloch and Stanley 2005; Feldman 2011) and will not be dealt with here. Of concern in this article is what the UKBA text above fails to convey: that the powers to detain reach not only those who have been denied entry or leave to remain but also all others whose 'legal right to be in the UK' is still to be adjudicated, as is the case with asylum seekers and foreign-nationals with ongoing appeals at the Immigration Tribunal. The text also fails to convey the indefinite nature of detention in the UK. Whereas the EU maximum limit for detention is 18 months, there is no such limit in Britain, a fact that adds to detainees' distress (see Bosworth 2014). The text also presents an alternative to detention: voluntary departure. Yet, the Home Office often faces serious obstacles when attempting to remove foreign-nationals because it cannot identify their origin, the consulates are not cooperative in issuing travel documents, or simply because the country of origin will not take them back. These obstacles result in some individuals becoming what Leerkes and Broeders (2010: 831) term *undeportable deportable migrants* and the condition of *non-deportability* (Paoletti 2010).

In the context of the Netherlands, Leerkes and Broeders (2010) question if the administrative rationale for immigration detention is sufficient to explain current and actual practices of detention. They argue that immigration detention serves three informal functions in addition to its official purpose as an administrative practice aiding the removal of unwanted foreign-nationals: deterrence, control of poverty (detention acting as a temporary relief from street poverty) and symbolic assertion of state power.⁶ These informal functions are not necessarily unintended, even if they are not ratified in the law. By keeping detention under administrative law, policy makers have a 'flexible instrument of control' (Leerkes and Broeders 2010: 846). Deterrence works not just to coerce those detained to leave or assist in their removal, but more broadly to prevent people from violating immigration policies and the law in general. The extent to which such methods actually work as a deterrent is difficult to ascertain (see also Hasselberg 2014a) but, as it will be seen here, research participants did feel very strongly the coercive effects of this form of surveillance, often wondering whether they would be able to endure another period in detention.

⁵ <http://www.ukba.homeoffice.gov.uk/aboutus/organisation/immigrationremovalcentres/> (last accessed on 25th January 2012)

⁶ This is true of other forms of surveillance and state practices. Frois (2013) for instance, is examining the intention of the Portuguese government in installing CCTV in public open spaces. This surveillance is justified in its preventive role, so in that sense it is disciplining as it is aiming at a change in behaviour. But, it is not rehabilitating because it is not addressing the causes that led to a need for surveillance. However, Frois contends that as a line of action it is effective because it reveals that a problem has been identified and that is being acted upon, even if the action is centred on the intention and not necessarily on practice.

Foucault (1991), through his examination of Jeremy Bentham's Panopticon, takes surveillance as a disciplinary practice. In the Panopticon, power is exercised through the allocation of visibility to those who are to be disciplined and of invisibility to those who discipline. The dyad between the one who sees and the one who is seen is thus not established for both actors, as the eye sees all but is never seen. The Panopticon acts as a disciplinary practice precisely because the subjects of surveillance know that they are visible but do not know *when* they are being watched. Surveillance in that setting thus seeks to discipline by coercing a change of behaviour.

Whyte (2011) reveals how Foucault's Panopticon does not fully reflect the reality of open immigration detention camps in Denmark, for the gaze is not fully fixed and the dyad between the seeing eye and being seen is in fact established. Because there is no all seeing eye, and the seeing is partial and inconstant, 'applicants worried about what it was the central gaze saw when it did observe them' (Whyte 2011: 20). In the UK, IRCs are not open camps as in Denmark, where detainees are free to spend the day outside and need only to return for the night. British IRCs resemble prison facilities, and some in fact were acting as prison or military establishments before being converted into IRCs. They are high security facilities with barred windows, locked doors, security checks for visitors (and detainees), and countless CCTV cameras spread throughout the facilities. Even so, IRCs do not function as a Panopticon and research participants did not constantly feel the gaze of power on them, not in the sense of feeling observed. In IRCs, as in Whyte's case, the gaze of the guards is not permanent but rather uneven in its application and is motivated not so much by disciplinary concerns but rather by control and security concerns (Hall 2012).

When the potential deportee has to report to the requisite authority after being granted bail, the gaze is established in much the same way as in Danish open camps: it is limited to the reporting appointment, and the dyad between the one who sees and the one who is seen is established. Deleuze (1992) argues that the will to discipline is being replaced by the will to control. In this context, surveillance is applied not to punish or rehabilitate, but to prevent or anticipate unwanted behaviour, such as further offending or failure to cooperate with immigration officials. In fact, immigration detention and reporting do not have the disciplining aim of the Panopticon. These practices are concerned with control and removability, not with discipline in the Foucauldian sense (Whyte 2011). Yet, they work in effect to discipline deportable bodies as power is exerted intensely and constantly over their lives. Foreign-national offenders experience the power of the state through technologies of surveillance even if the gaze is not permanently on them. This is not only the case when in detention, but also on bail through electronic tagging and reporting, practices that heavily restrict and impact peoples' lives and their sense of self. Moreover, whereas citizens have some flexibility and scope for negotiating technologies of state surveillance, foreign-nationals facing expulsion from the UK have limited power of negotiation. For them, there are two options: to endure surveillance or to leave.

Agamben's (1998, 2005) work is often used in examinations of detention centres because the biopolitics of his 'state of exception' and 'the camp' resonate with the reality of migrant detention. In a state of exception power is centralised, with the state holding extra-judicial powers to address perceived threats to its authority, which confer on it near absolute authority to rule; unrestrained by law, the state can operate outside it. In this context, whatever is done to individuals is not considered a crime, as they have been stripped of their rights and their political status—they are thus reduced to 'bare life' (Agamben 2005). Yet, as many authors have argued recently, Agamben does not leave much space for socio-political action in this context (McGregor 2011; Hall 2010; Nyers 2008). Furthermore, despite the many parallels that can be drawn, IRCs do have a legal status and allow detainees to have legal representation, and the right to appear before a judge and to apply for bail, which hardly concur with spaces of exception (Richard and Fischer 2008). And, as noted above, liberal states face many constraints when pursuing such avenues of policy (Ellermann 2010; Freedman 2011), often leading to non-deportability (Paoletti 2010; Leerkes and Broeders 2010).

Isin and Rygiel (2007) conceptualise the camp as an abject space in the sense that, in the camp, people are not to be disciplined, nor eliminated, but just left without a presence, invisible and inaudible. However, the camp, in this account, may also be a space of resistance. McGregor's (2012) work on religious revival manifested within immigration detention centres in the UK brought religion into the discussion of borders and has shown that IRCs cannot be seen solely as zones of exclusion but also as 'socio-political spaces in themselves' (2012: 236). There is a growing body of literature on immigrant detention. In the UK, this body of research was initially carried out by NGOs working with detainees (LDSG 2009; BID 2009), but has since been the focus of academic attention (see, for example, Bosworth 2007; Griffiths 2013, 2014; McGregor 2011, 2012). Bosworth's (2014) recent work is a valuable contribution to this field of studies by providing a sound in-depth ethnographic account of life inside immigration detention. McGregor's (2009) work is also of relevance as it explores the legacies of detention long after release and many of her findings are echoed here.

The practice of reporting has been largely overlooked in academic literature, with the work of Klein and Williams (2012) as a remarkable exception. Migrant support groups provide some information on reporting, mostly alerting migrants to the risk of detention and how to be prepared for it. Some migrant support groups have even established alliances that control each other's reporting appointments so that if one should be detained when reporting the others can contact immediately his representatives, family and other advocacy groups. Reporting to the Home Office as part of the conditions of bail from detention is a practice that greatly impacts people's lives and perceptions of safety. I will now move on to present and discuss the empirical data, revealing how reporting is also part and parcel of the experience of deportability in the UK.

Narratives of Surveillance

Detention

Narratives of detention and surveillance were remarkably similar, showing very little variation between the accounts of different research participants. This rather long excerpt from George's detention narrative is used to ground many of the issues dealt with in this section:

I went in September to sign, it was on Monday, I went to sign it and one woman come to me and said 'I'm really sorry but you have exhausted all appeals.' I said 'excuse me, I haven't got any appeal yet', she said to me, 'well sorry, its Croydon [Home Office], they give me order to detain you' and they send me for one week to detention! Oh my, I couldn't believe! (...) It was 3:30 pm and I called my wife saying 'look, they are detaining me' (...) She started crying. It was terrible, it was like recalling the experience of when they treated you like a criminal, but after so many bitter experiences... and my son, he was so small, in hospital... the only advantage is that you can have a cell phone there, so I could speak with them at any time and that gave me the peace of mind to cope with it all. Of all that I could see there, it is the psychological damage that it makes you... because all the time you are hearing the planes go by. They are very clever, this country. You're thinking 'I'm one step away from being sent away' and the planes go by and by. (...) I couldn't eat, I was too stressed. (...) I lost 3 kilos in 8 days. Once this torment was over, my appetite was back immediately. When I arrived home I eat so much. Then I went to the hospital to see my son. My innocent son who was unaware of my pain. But they don't care about any of that, and that is what hurts. There were many who wanted to go, thinking 'if I am here to be locked up, I rather go home'. There are a few still fighting to stay, most want to go, they are tired. (...) And I don't understand why they detained me, I have my kids, where would I go? How would I endanger my kids and my family, they are my life. (...) I have suffered a lot here, and if they send me to detention again I can't take it, I'll say 'deport me, deport me now'.

George had been reporting for over a year by the time he was detained. This was not his first time in detention, nor his last. At this point though, he was not expecting to be detained. He had been granted bail a year before, had not violated its conditions and was about to start another appeal with the Immigration Tribunal. He had no way of seeing detention coming and, like many others, was detained with what he had on him that day. He did not have with him spare clothes, toiletries, his medication or any other things he might need while in detention. Of more concern in George's particular case was what he did have on him—the money to pay his solicitor so that he would start working on the appeal. Given the short time granted to file the appeal, this situation was particularly troublesome and very illustrative of how apprehension cancels all plans that those reporting might have for the day and the immediate future—their time is interrupted.

Deportees interviewed for this study were detained either straight from prison upon completing their sentences or, like George, when reporting to the Home Office as part of the terms of bail. Detention was always unexpected and all reported feeling confused, shocked and scared. Some were held at the reporting facilities for a few hours before being informed that they were going to be transferred to an IRC, exacerbating their anxiety.

Phoning home to break the news of their detention is a key moment of the detention process for the detainees. As George says, it is a reminder of their criminal status and of what the family had to go through while they served their criminal sentence. On top of everything else, detainees feel guilty for putting their families through another ordeal. The phone call is always described as a terrible experience: participants are well aware of how difficult receiving this news can be. For their families this means yet another period of separation, an added fear that detention will jeopardise the appeal or that deportation might be imminent, and adaptation to the logistics of having a spouse or child in detention.

Whereas George was sent to Brook House, next to Gatwick airport and fairly close to London, others are sent to IRCs located a considerable distance from their places of residence. David, for instance, was sent to Dover, hampering family and legal visits as travel is time consuming and costly. Family members often described feeling publicly shamed by the IRC staff. Families also have to adjust to the gap left behind by the detainee: it might mean one less breadwinner, but also that someone has to fill in for the detainee's daily tasks, such as taking children to school, which may require great logistical effort. In addition, whatever documentation might be needed to prepare the appeal must now be gathered and provided to solicitors by family members.

Unlike many other detainees, foreign-nationals facing deportation from the UK following criminal conviction had served a custodial sentence in the UK prior to their detention. Unlike IRCs, prisons have the dual purpose of punishment and rehabilitation, and research participants felt the importance of both. Prison time is always narrated as time used to rethink life, a time of rehabilitation whether from drugs, deviant behaviour or simply from oneself. It is a time when research participants learned to appreciate the good things they have in life. It was also described as an experience that made them realise the potential they had to succeed in life and be happy. Most took courses in prison both for education purposes and for their personal development. An important note should be made here: research participants served their custodial sentence prior to the establishment of the Hub and Spoke system for foreign-national prisoners, in the summer of 2009 (see Bosworth 2011 and Kaufman 2013 for a detailed discussion of such issues). The resulting establishment of prisons exclusive to foreign-nationals and the high number of foreign-prisoners detained post-sentence are developments likely to bear impact on the experiences of imprisonment for foreign-nationals today.

This is not to say that prison was a pleasant experience or that participants experienced imprisonment as easy and agreeable. Much like detention, imprisonment meant the deprivation of liberty and absence from both family life and society more generally, and the punitive element of it was strongly felt. The point

here is that, unlike detention, research participants found positive outcomes from their imprisonment and it was mostly on these that they focused their prison narratives, reinforcing the rehabilitative element of incarceration. Most importantly, for them detention was always experienced in comparison to imprisonment. In this sense, and although conditions vary between different IRCs, facilities and provisions in detention were always deemed better than in prison: they spent less time locked up in the cells, were allowed a mobile phone, had more freedom to walk around the facilities as they pleased, more visiting time, and so forth. Having a mobile phone was considered of utmost importance to detainees. For George, having a mobile in detention was crucial in helping him cope with confinement and maintaining contact with his family and solicitor.

However, this does not mean that by and large the experience of detention was better than that of imprisonment. Quite the contrary. For all research participants, even if daily life in detention was more agreeable than that in prison, the overall experience was far worse. The first thing to bear in mind is that, in IRCs, the element of rehabilitation, so appreciated during their imprisonment, is absent: immigration detainees are not being rehabilitated and prepared for life ‘outside’—they are just awaiting removal, which is tantamount to full exclusion from that life ‘outside’.

Two other factors contributed to detention being experienced more negatively than prison. First, in prison, foreign-nationals were ‘doing time’ for the offence for which they were convicted, and that is accepted. It is the expected outcome of committing an offence and being convicted. In detention, however, participants felt they were being deprived of time and freedom for what seemed to be no reason other than to punish them again. Detention was experienced as unreasonable and unfair, and deportees carried with them the sense that they were being wronged. Detention meant that they were again subjected to a state practice that deprives them of their freedom, family and professional development, only this time they could see no justification for it (see also Bosworth 2013).

Second, in detention there is no release date. Detainees therefore have no way of knowing how long they will be held. They can only apply for bail every four weeks, and hope for the best. Detainees do not know if they will be released at all, as deportation becomes an ever more real occurrence in detention. As Coutin (2010: 205) as argued in the context of the US, ‘removed from their communities (...) detainees are to a large degree already “elsewhere”, therefore deportation is the seemingly inevitable realisation of the illegality experienced in detention’. Detainees see others being deported and, as George puts it, hearing the planes coming and going was a constant reminder that he was about to leave. In this sense, the IRC is already a transitional space where detainees, although physically in the UK, are compelled to feel themselves closer to their countries of origin.

The combination of these elements—no release date, no justifiable reason for their detention and a feeling that deportation is imminent—when added to worrying about such things as appeals and solicitors’ fees are nerve-racking, unsettling and intense to the point of turning the experience of detention into one far worse than that of prison, even if the conditions of the former are far better than those of the latter. This is well captured in George’s comments. He talks approvingly about his room in detention, with its plasma TV and the advantage of being allowed a mobile phone, and compliments the gym facilities and detention schedules. Then he states without hesitation: ‘*It was horrible*’. Here, George is reinforcing the argument that no amount or type of facilities will ever be good enough to make up for wrongful incarceration. He could not eat while he was detained and he was hurt by the lack of attention to his personal circumstances. Fear of removal, concern over family, isolation, stress, anxiety, panic attacks, depression, weight loss, appetite loss, inability to sleep, inability to focus, and crying all formed part of the experience of detention for George and other participants.

The unrest George felt about being detained was compounded by his discovery in the detention centre of some of the people he first met there a year before. This is an issue many research participants mentioned.

Even for those detained for the first time, encountering people who have been detained for years brought the realisation that there was little to protect them from indefinite detention. It exacerbated their feelings of vulnerability and disquiet. George details the hatred many detainees developed towards the UK:

The hate you generate among detainees in the detention centres is brutal. There was this one Jamaican guy who used to tell the guards, 'you're sending me to Jamaica and when I am there I am going to find an Englishman and I am going to kill him, I'm going to kill him'. He would say that to the guards.

He goes on stating how he understands such feelings:

They have been detained for long, nobody listens to them, they are ignored, left there, no one cares for them, or helps them. They are just there. It's amazing!

When narrating their experiences of detention and reporting, research participants constantly reasserted the humanity of detainees. They felt the need to reinforce the human factor because the elements that make one human are trimmed down in detention: no respect, no care, no voice and no notion of human rights. Detainees are no longer people, '*they are just there*'. For research participants, detainees encapsulate Agamben's (1998, 2005) bare life in the sense of being stripped of all protections and existing outside the legal and political order. Their sense of vulnerability, and of existing in detention as someone not worthy of human treatment, reflect this conception.

The experience of detention, as narrated by George and other research participants, is an experience that breaks one down. Present in all narratives is shock at detention practices, and events such as seeing others being deported and bullied, denied medical attention or committing suicide. In detention, foreign-nationals find many others facing deportation so there is a lot of case-comparing. They often detailed how scared they were to find that people with stronger cases than them get deported and others with weaker cases being allowed to remain. Of course, it can be said that, as lay people, they are not qualified to fully understand the merits of particular cases, but what they are left with is the realisation that there is a strong arbitrary element to bail and the appeals system, again reinforcing their sense of vulnerability.

Reporting

Reporting (*signing-in* or *signing-on* in migrants' current language), at least in theory a very quick event, entails more often than not a few hours of queuing outside the reporting centre, waiting one's turn to enter the building and showing one's papers. For the research participants, standing in line outside the reporting centre is a reassertion of their lack of status, a public display of their condition as someone who is not deemed worthy to reside in the UK and who needs to be monitored:

Now I have to do it every Monday, in Hounslow, between 9 and 4. It's just awful. Even though I'm out, which is better, but sometimes I feel I'm being controlled you know because...the people I see, we are all humans, I don't judge no one so when I go there people look at me differently, they look at me like 'why is he here?' you know? But no one knows so. People who are there are people who come from other countries. [Tony]

But look, over there, signing-in, you have old people, sick people, people who can't even walk... the human rights! There are other ways of controlling people. This is a humiliation too. Last week it was raining and the queue was long. We are not animals, we are human beings. [David]

This control is felt strongly, not only when actually going to report, but also in participants' daily lives:

It's shit, you are stuck, they are controlling you, you can't go anywhere. You have a leash, you can go and go but come Monday and they'll pull you back in. You have to go back there. And they won't give a chance to arrive late, past the hour or go there next day. So I'm there. But at the same time I miss my classes. I'm studying and I can't go to college on Mondays. [Andre]

Reporting involves spending time and money. Research participants mentioned the travel costs of reporting as a strain on their already fragile budgets and the time needed to report as hindering their educational or professional activities. In fact, research participants who were not employed often cited reporting as the reason for it. Reporting restricts people's liberty not just in jeopardising their access to employment but also in reducing or even nullifying their travelling opportunities. Foreign-nationals cannot go away from their residence area for more than a few days, for they cannot miss their weekly appointment. Even for those who could afford vacations, this meant no holidays with their families.

In addition to constraining their budgets, time and professional and educational options, the weekly visit to the reporting centre is also a source of fear and stress, for participants and families alike, especially after the first time they are detained while reporting:

Even today I went to report and my wife called me, she always calls me 'are you ok? Is everything ok?' 'Cause she is scared! Because it has happened before. I went to sign up and they detained me. [David]

The memory of detention informs the way research participants experience reporting. They become aware that being on bail does not protect them from detention, and consequently they feel even more insecure. Moreover, although none of my research participants were ever apprehended at home, home raids, as portrayed in the media, were a fear that many expressed, which prevented them from being relaxed and feeling safe, even at home. Tania, whose partner was facing deportation, illustrates this well:

It's awful! Because you know, being in the house, what it's really awful, because we would be sitting around, it was Christmas, (...) we had pictures taken, we were sitting around at the table having dinner together and I (...) all I think about is that there could be a knock on the door and they've come to take him. It's always at the back of my mind, it's always there, it makes me feel very uncomfortable, all the time. (...) I've seen on the television, I've seen it on the newspaper how many people they are getting deported so you know (...) it just scares me, coming here knocking on the door, people running around my house.

As this quote makes clear, living with the pending threat of deportation affects foreign-nationals' spatial and temporal constructions of risk (Willen 2007; Khosravi 2011; Talavera et al. 2010). Risk, conceptualised here as the possibility of detention and forced removal, was remapped to the weekly appointment at the reporting centre and nights at home.

The impact of detention for both detainees and their families goes well beyond the actual time of actual detention, while reporting, which allows a greater degree of freedom, is not a simple protocol to be followed, but rather restricts heavily the person's choices, movement and sense of security. Detention and reporting thus impact greatly on the lives of foreign-national offenders, both directly and indirectly. Being under such surveillance also has an impact on their sense of self: many described feeling untrustworthy, infantilised, and dehumanised. It is also significant that, even though most research participants agreed with policies of deportation in general—contesting only that these are being applied to them in particular—none could conceive of a legitimate reason to hold people in detention, whatever their lack of entitlement to be in the UK (Hasselberg 2014b).

George ended his detention narrative by questioning the rationale for his detention. Other research participants did not understand why they had to report. Why would they run away from their families if they were fighting to stay in the UK precisely so they could be with them? Moreover, if they do wish to run away, reporting weekly will not prevent them from doing so, although some did recognise that it would allow the Home Office to know they are gone in one week's time:

Because I'm out on bail, right, I have to sign-in every week. And I really don't need to do it, because I have been here for longer than I can remember, I have family, have a house, have a place to live, have children. Where am I going to run away to? I have a car, I have my life here. Where am I going to go? Wherever I go the Home Office will find me. So why do I have to go and sign-in? I always have to spend £8 on the tube, to have to go one day. It is stressful, really stressful. I have already paid for my crime, I did the time I had to do... [David]

For research participants, the rationale for detention and conditions of bail are not justifiable, such that there can be only one explanation: the Home Office is punishing them again in the hope that they will agree to deportation.

Coerced to Leave

Many of the narratives presented here include the frequent assertion that forms of state surveillance, and detention in particular, 'break one down' to the point of agreeing to deportation. Surveillance is thus conceptualised by foreign-national offenders and their families as a form of coercive action, not in the Foucauldian sense of enforcing a given behaviour, but in the sense of compelling one single action: agreement to leave. As George said, 'I have suffered a lot here, and if they send me to detention again I can't take it, I'll say "deport me. Deport me now."'

But even though participants perceive these strategies as measures to force them to leave, they also work to discipline them. The threat of detention and the imposition of reporting appointments act as strategies of control. Defiance to reporting, for instance, was seldom enacted and often short lived:

When they detained me now again, I got really scared so I also stopped defying them. I am afraid to do that stuff now. Now I am complying better with their terms. Before I complied but sometimes I missed [a reporting appointment], I wouldn't come in and called to let them know, but not anymore, I don't miss on reporting now, I always come. They scared me because they are bullies; they threaten you because you know what they are capable of. So, you do not want to mess with them. At any moment a person goes there to sign-in and they'll stop him and he won't go anywhere else, can you imagine that? [David]

But the disciplining effect goes beyond lack of defiance. When combined with foreign-national offenders' own perceptions of deportation, it leads to compliance with state orders and the production of disciplined bodies. As noted above, research participants were generally in favour of deportation policies, contesting only their broad applicability (as in, they should be restricted to serious offences like terrorism, rape, murder) or the unsatisfying consideration of the merits of their own cases. In particular, they contested the notion that they were a danger to society. They saw the harsh living conditions of deportability and conditions of bail as a trap to make them fail and turn to crime, rendering them ever more deportable.

It is important to remember here that the stakes for foreign-national offenders are high: deportation will mean family separation and the end of all they have accomplished since their arrival in the UK. By complying with state orders, they fight to stay and resist the notion that their deportation is in the best

interest of British society. It is thus precisely the punitive effect of such practices in inducing intolerable living conditions in a situation where people have high stakes in wanting to stay, that works as an successful disciplinary tool.

Overall, the lived experiences of surveillance and deportation examined in this article highlight the punitive and disciplinary effects of these practices. Intentional or not, these effects must be acknowledged and should be challenged. Punishment should only be inflicted through a judicial process, not in the form of an ‘unaccountable’ administrative practice (Fekete and Webber 2009; Fassin et al. 2013). As others have argued, deportation and related practices of surveillance are a straightforward consequence of a criminal conviction; they are too closely linked to the criminal justice system, and too punitive in practice to continue to be exercised as administrative actions (e.g. Dow 2007; Pratt 2005; see also the contributions in Aas and Bosworth 2013).

The punitive elements inherent to the practice of deportation and related state surveillance over deportable bodies cannot be dismissed as unintended invisible punishments (cf. Travis 2002). In the US, such questions have been considered by legal scholars (see, for instance, Pauw 2000; Stumpf 2013). It is important to underline the fact that the confinement and supervision of foreign-national offenders in the UK are no longer restricted to their criminal sentences. Foreign-national offenders who are served with deportation orders are not just imprisoned and deported: they are often stripped of their right to work (and support their families), to travel, and even of their liberty and freedom of movement through practices of state surveillance like immigration detention and reporting. The experience of deportation cannot be separated from the experience of state surveillance over deportable men and women—they are intertwined and embedded in each other. Foreign-nationals find themselves in detention or in queues to report due to their deportability. The additional incarceration and related conditions of bail, even if exercised under immigration powers, are in practice forms of state power that not only mirror practices of incarceration and supervision in the criminal justice context, but are also experienced as extremely punitive and unfair. Furthermore, between imprisonment and deportation, foreign-national offenders and their families live in limbo. Their lives are unsettled, ungrounded and uncertain. Research participants felt that they were being punished consecutively: they had served their time in prison but rather than moving on with their lives as a British national would, they found themselves facing expulsion from their country of residence which in the meantime subjected them to constant restrictions and surveillance.

Ironically, but perhaps not unintentionally, those who are deemed a risk and subjected to surveillance and banishment are the ones constantly feeling vulnerable and in need of protection. Because they do not consider themselves a danger to society, they understand state surveillance not as a measure of control over them, but rather as punishment for wanting to stay—it is, in their eyes, a technique designed to coerce them to leave.

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